

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America

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v.
Carlena Juana Gomez,
USC
Defendant

Case No. 17-9505 MJ

CRIMINAL COMPLAINT

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief.

Count 1:

On or about October 30, 2017, at or near Eloy, in the County of Pinal, in the District of Arizona, Carlena Juana Gomez, knowing and with reckless disregard of the fact that certain aliens, Armando Andujo-Acosta and Jose Ramon Guerrero-Lozano-Lozano, had come to, entered, and remained in the United States in violation of law, did transport and move said aliens within the United States by means of transportation and otherwise, in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

Count 2:

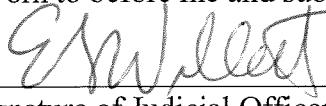
On or about October 30, 2017, at or near Eloy, in the County of Pinal, in the District of Arizona, Carlena Juana Gomez, did aid and abet certain aliens to evade and elude examination and inspection by Immigration Officers of the United States of America; in violation of Title 8, United States Code, Section 1325(a)(2) and Title 18, United States Code, Sections 2.

See Attached Statement of Probable Cause Incorporated By Reference Herein.

REVIEWED BY: AUSA Natalie Huddleston for AUSA Brooke Afshari


Signature of Complainant
Ian C. Pope
U.S. Border Patrol Agent

Sworn to before me and subscribed in my presence, this 1st day of November, 2017.


Signature of Judicial Officer
Honorable Eileen S. Willett
United States Magistrate Judge

STATEMENT OF PROBABLE CAUSE

I, Albert A. Martinez, being duly sworn, hereby depose and state as follows:

1. Your affiant is a Border Patrol agent with the U.S. Border Patrol, U.S. Customs and Border Protection. I have learned about this investigation and the facts contained therein from direct participation in the investigation and from the reports and communications of other agents.
2. On October 30th 2017, at approximately 1:00PM, Border Patrol Agent LaFollette, responded to a call for assistance by Arizona Department of Public Safety. The call was to assist Trooper Whitewater (Badge# 7019) with a suspected undocumented alien from a traffic stop that he was conducting on Interstate-10, milepost 203.
3. Upon arrival, Agent LaFollett was told by Trooper Whitewater that he conducted a traffic stop on the 2001 Dodge Intrepid, bearing Arizona License plate PS35992, for driving slowly in the wrong lane and that she was causing traffic to back up, creating a potential hazard.
4. Agent LaFollett identified himself as a Border Patrol agent and proceeded to question the occupants of the vehicle. The driver, later identified as Carlena Juana Gomez, was asked how she knew the passengers, to which she readily admitted that she picked them up for profit and that she had done this before in the past. Further questioning of the two other occupants of the vehicle, later identified as Jose Guerrero-Lozano-Lozano and Armando Andujo-Acosta, resulted in them admitting to being illegally

present in the United States. Agent LaFollett placed them under arrest for being present in the United States without the proper documents.

5. The following is a written synopsis of a video recorded interview of Carlena Juana Gomez, on October 30, 2017, at 7:08 AM. The interview was conducted at the Casa Grande Border Patrol Station, by Border Patrol Agent A. Thrasher and witnessed by Border Patrol Agent R. LaFollett.
6. Gomez stated that her brother, Daniel Escalante, had called her and asked her to take a guy named Junior to Phoenix. She claimed that Armando Andujo, one of the passengers, was going to come with them, that they had been dating for a few days, and that he had been staying with her at her house for a few days. She stated that although she had not spoken to her brother in over a year, he called her and told her to meet up with him, and that he would be driving a blue pickup truck with tinted windows. Gomez stated that Junior asked her brother for gas money for the trip, as she knew it would be at least 60-70 miles and they would need money.
7. Gomez discussed her previous alien smuggling attempts. She stated that she was caught with four aliens in the vehicle on a previous attempt and that she was going to be paid \$4000.00 for taking them to Phoenix. She stated that her brothers, both Daniel Escalante and Marcellino Miguel would call her to take people to Phoenix. Gomez also stated that she did not know exactly how much money she was to be paid for this smuggling attempt, but that she knew she would be paid something. Gomez also revealed that she would be contacted by someone as to when she needed to meet up

with people at different mile markers on FR-19 on the Tohono O'Ohdam Reservation.

8. The following is a synopsis of the interview of Jose Roman Guerrero-Lozano-Lozano, at the Casa Grande Border Patrol Station. The interview was conducted at 8:16 PM on 10/30/2017, by Border Patrol Agent Delatorre and Supervisory Border Patrol Agent Muniz.
9. The following is a written synopsis by BPA Delatorre of the videotaped sworn statement taken before him at the Casa Grande Border Patrol Station at approximately 8:16 pm.
10. Guerrero-Lozano stated that he is from Caborca, Sonora, Mexico but now resides in the state of Veracruz Mexico. Guerrero-Lozano stated that he also uses the moniker of El "Junior". Guerrero-Lozano stated that he crossed with a group of eight individuals, which included the foot guide, himself, and six other illegal aliens. Guerrero-Lozano stated that they crossed the United States/Mexico border near Horse Peak ranch. Guerrero-Lozano stated that he made arrangements with his foot guide that if he helped him smuggle the group, he was not going to pay a fee. Guerrero-Lozano stated that the rest of the group were going to pay the foot guide. Guerrero-Lozano stated that the foot guide called himself "Fernando". Guerrero-Lozano stated that Fernando is from the city of Altar, Sonora, Mexico.
11. Guerrero-Lozano stated that they were guided to the village of Topawa, Arizona. Guerrero-Lozano stated that they waited for a load vehicle near a white water tower. Guerrero-Lozano stated that an unknown male picked them up and drove them just

south of the SR86 checkpoint and dropped them off. Guerrero-Lozano stated that they were guided by Fernando again for another two hours. Guerrero-Lozano stated that Fernando explained that they were bypassing the checkpoint.

12. Guerrero-Lozano stated that the same unknown individual picked them up and drove them to Tucson, Arizona. Guerrero-Lozano stated that they parked at a large shopping center and waited for another load vehicle. Guerrero-Lozano stated after two hours, two other vehicles arrived and parked next to their vehicle. Guerrero-Lozano stated one vehicle, a blue pickup, had a passenger as well. Guerrero-Lozano stated Fernando instructed the passenger of the pickup truck, later identified as Armando Andujo, to ride as passenger in the other vehicle, the vehicle that was being driven by the Principal, Carlena Juana GOMEZ.

13. Guerrero-Lozano stated that Fernando instructed him to jump in with Andujo as well because Gomez was going to transport them to Phoenix Arizona. Guerrero-Lozano stated that Fernando then took the rest of the group and instructed them to enter the blue pickup truck with him. Guerrero-Lozano stated that he was not going to pay Gomez anything since he helped the smuggler of his group guide the group across the border in lieu of money. Guerrero-Lozano stated that he has worked as a drug mule in the past but quit working as a smuggler.

14. Guerrero-Lozano was shown a photo line-up folder with photos of six (6) subjects numbered one to six affixed inside. Guerrero-Lozano was asked that if he recognized a person in the line-up, to explain who that person was and how he knows that person.

Guerrero-Lozano was told that he was under no obligation to identify anyone and that it was perfectly fine if he did not recognize anyone in the group of pictures.

15. Guerrero-Lozano pointed to and circled the photo in box number one (1). Guerrero-Lozano identified the subject in box number one (1) as the female driver of the vehicle he was apprehended in. The photo in box number One (1) is a picture of the defendant, Carlena Juana Gomez.

16. Guerrero-Lozano affirmed that all statements were given freely and voluntarily, and that no threats, coercion, and/or promises were made. The interview was then terminated at approximately 9:12 PM.

17. Based on the above stated facts, your affiant submits that there is probable cause to believe that on or about October 30, 2017, at or near Casa Grande, Arizona in the County of Pinal, in the District of Arizona, Carlena Juana Gomez, knowingly and with reckless disregard of the fact that certain aliens, Armando Andujo-Acosta and Jose Ramon Guerrero-Lozano, had come to, entered and remained in the United States

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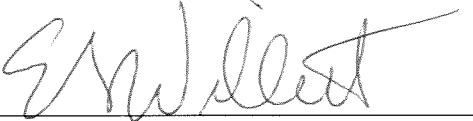
in violation of law, did transport and move said aliens within the United States by means of transportation and otherwise in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii) and Section 1325(a)(2) and Title 18, United States Code, Sections 2.



Signature of Complainant

Ian C. Pope
U.S. Border Patrol Agent

Sworn to before me and subscribed in my presence, this 1st day of November, 2017.



Signature of Judicial Officer
Honorable Eileen S. Willett
United States Magistrate Judge